

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN LEE FRIEDERICH-TIBBETS,

Plaintiff,

v.

CAPTAIN MIKE LARSON, et al.,

Defendants.


Case No. C07-5209BHS-KLS

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold (Dkt. 50), the remainder of the file, and no objections having been filed thereto, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation (Dkt. 50);
- (2) With regard to Plaintiff's use of force and medical services claims, this action is **DISMISSED without prejudice**. With regard to Plaintiff's classification and showers claims, Defendants are entitled to summary judgment and these claims are **DISMISSED with prejudice**.
- (3) The Clerk is directed to send copies of this order to Plaintiff, counsel for any Defendants who have appeared, and to the Hon. J. Kelley Arnold .

DATED this 4th day of June, 2008.


BENJAMIN H. SETTLE
United States District Judge

ORDER